IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 17538 of 2004

Between:

T.R. Dass, S/o Venkaiah,
R/o H. No. 1-45, Thirumalgiri,

Hanumula Mandal, Nalgonda District

..... PETITIONER

AND

The Depot Manager, APSRTC,

Nalgonda Depot, Nalgonda District

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent in not granting annual increment to the petitioner during the period
1996-1997 is wholly illegal, arbitrary and unjust and consequently direct the Respondent to grant annual increment to the Petitioner.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondent: MR.V.T.M.PRASAD (S.C.FOR APSRTC)

The Court at the admission stage made the following

ORDER:

The petitioner is working as a driver in the respondent- Corporation. He contends that he suffered a heart attack on
26-03-1996 and he was referred to A.P.S.R.T.C. hospital at Tarnaka and later to N.I.M.S. hospital, Hdyerabad. He was admitted as in-patient on 22-07-1997 and he was on leave till 04-11-1997 on account of undergoing operation and treatment. The petitioner contends that he was sanctioned medical leave for the period from 26-03-1997 to 04-11-1997. His grievance is that though the medical leave has been sanctioned, his annual increment due for the year 1996-97 was not released. He submitted a representation on 07-09-2000, but no action has been taken by the respondent on the said representation. The petitioner, therefore, approached this court seeking a direction to declare the action of the respondent in not granting annual increment to him for the year 1996-97 as illegal, arbitrary and unjust.

Having regard to the facts and circumstances explained by the petitioner, the respondent is directed to verify whether the petitioner was sanctioned medical leave for the period from
26-03-1997 to 04-11-1997, if so, pass appropriate orders regarding his request for release of the annual increment for the year 1996-97, within four weeks, from the date of receipt of a copy of this order and communicate the same to him.

The Writ Petition is accordingly disposed of. No costs.

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Dr.G.Yethirajulu, J

30th September, 2004

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To

1. The Depot Manager, APSRTC,

Nalgonda Depot, Nalgonda District

2. Two CD copies